

*24<sup>th</sup> California Trails &  
Greenways Conference  
April 23, 2009*

The California Environmental  
Quality Act (CEQA),  
A Users Guide

# CEQA and Trails, A Users Guide

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Presented by Ken Wells

Founder and President,  
Sonoma County Bicycle Coalition  
Past President, Sonoma County Trails Council  
Founding Member of IMBA  
Trail Builder and Advocate since 1987

25+ years of environmental project management and  
CEQA experience

# CEQA and Trails, A Users Guide

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## This Presentation Will Cover:

- What Is CEQA & A Brief History
- What CEQA Is Not
- Levels of Environmental Review
- Who Does What
- The CEQA Process
- Tracking Projects - CEQANet

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## What Is CEQA?

- Governor Reagan signed California Environmental Quality Act in 1970
- CEQA statutes established by Legislature ...and continuously modified by Legislature ...and “interpreted” by the Courts
- CEQA applies to all “projects” subject to public agency discretionary action

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## Basic Purpose of CEQA

- Inform government decision makers and the public about the potential significant environmental impacts of proposed activities.
- Identify ways that environmental impacts can be avoided or significantly reduced.

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## Basic Purposes of CEQA

- Prevent significant avoidable damage to the environment by requiring changes in the project through the use of alternatives and mitigation.
- Disclose to the public the reason that an agency approved a project notwithstanding its environmental impacts.

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## What CEQA Is Not

- Approval, i.e., Certification, of a CEQA document does not mean the project is approved.
- Successful challenges to a CEQA document does not mean a project is stopped.

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## Levels of Environmental Review

- Exemptions
  - Statutory
    - Ministerial Projects (not a discretionary decision)
      - building permits
      - utility service connection
      - other entitlements for use
      - favored activities (Sec. 15260 – 15285)



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## Levels of Environmental Review

- Exemptions
  - Categorical
    - Classes of Projects
      - existing facilities
      - replacement or reconstruction
      - minor alterations
      - designation of Wilderness Areas, etc.

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## Examples of Categorical Exemptions

Lead Agency: Napa County

Project: Moore Creek Trail Relocation

The District is proposing to improve an existing cow path to provide a non-motorized alternative to a portion of the existing dirt road which runs the north-south length of the District's property. The path will be approximately 750 feet in length, and eliminate two wet crossings of Moore Creek for people traveling on the existing road.

Categorical Exemption, Sec. 15301, 15304 – Class 1, 4

The project is a minor alteration to an existing facility with negligible expansion of existing use.

NOE                      3/23/2009

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## Examples of Categorical Exemptions

Lead Agency: Department of Parks and Recreation

Project: Construction of Trails and Support Facilities at Native Plant Garden #8688

Construct three trails totaling approximately 3000 linear feet...at Benicia State Recreation Area to facilitate the interpretation of California's native plants and habitats on the District's property.

Categorical Exemption, Sec. Sec. 15304 – Class 1, 3 & 4

The project is a minor alteration.

NOE            3/17/2009

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## Examples of Categorical Exemptions

Lead Agency: Placer County

Project: Overland Emigrant Trail Studies

Perform the preliminary studies and organize stakeholder involvement preliminary to a project that would ultimately construct an approximately 20-mile native earth trail with watershed protection and improvements. The trail route study area begins at the mouth of Cold Stream Canyon near Truckee and ends at Cisco Grove Gould Park.

Categorical Exemption

NOE            4/1/2009

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- Initial Study
  - Assists in deciding between a Negative Declaration, Mitigated Negative Declaration, or full EIR (Environmental Impact Report)
  - Checklist, aka “Appendix G”
  - Don’t need an Initial Study if an EIR is being prepared

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## **Environmental Checklist**

### **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

- ☐ Aesthetics    ☐ Agriculture Resources    ☐ Air Quality
- ☐ Biological Resources    ☐ Cultural Resources    ☐ Geology/Soils
- ☐ Hazards & Hazardous Materials    ☐ Hydrology/Water Quality
- ☐ Land Use/Planning    ☐ Mineral Resources    ☐ Noise
- ☐ Population/Housing    ☐ Public Services    ☐ Recreation
- ☐ Transportation/Traffic    ☐ Utilities/Service Systems
- ☐ Mandatory Findings of Significance

### **The project would have what affect on these environmental factors?**

- ☐ **Potentially Significant Impact**
- ☐ **Less Than Significant with Mitigation Incorporated**
- ☐ **Less Than Significant Impact**
- ☐ **No Impact**

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## Levels of Environmental Review

- Negative Declaration, “Neg Dec”, or
- Mitigated Negative Declaration (MND)

A Neg Dec or Mitigated Neg Dec is prepared when the Initial Study finds that no significant effect may occur due to the project.

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## Levels of Environmental Review

- Environmental Impact Report
  - Supplemental EIR
  - Subsequent EIR
  - Program EIR
  - Master/Focused EIR
  - Addendum to an EIR



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- Environmental Impact Report
  - Notice of Preparation (NOP) 30 day review
  - Scoping meetings (may be optional)
  - Notice of Completion and Notice of Availability to Start 45-day (minimum) for public review of Draft EIR
  - Public Hearings on Draft EIR (optional)

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- Environmental Impact Report
  - Final EIR
  - Includes any text revisions to Draft EIR
  - Includes Responses to Comments
  - No additional review period
  - Lead Agency Considers and Certifies EIR at a Public Hearing

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## Environmental Impact Report

- After EIR Certification Lead Agency can approve project
- Other Actions Taken By Lead Agency
  - Make Findings
  - Adopt Statement of Overriding Considerations
  - Adopt Mitigation Monitoring & Reporting Plan (MMRP)

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## Environmental Impact Report

- Publish Notice of Determination (NOD) within 5 working days of EIR Certification
- Starts 30-day Statute of Limitations for legal challenge

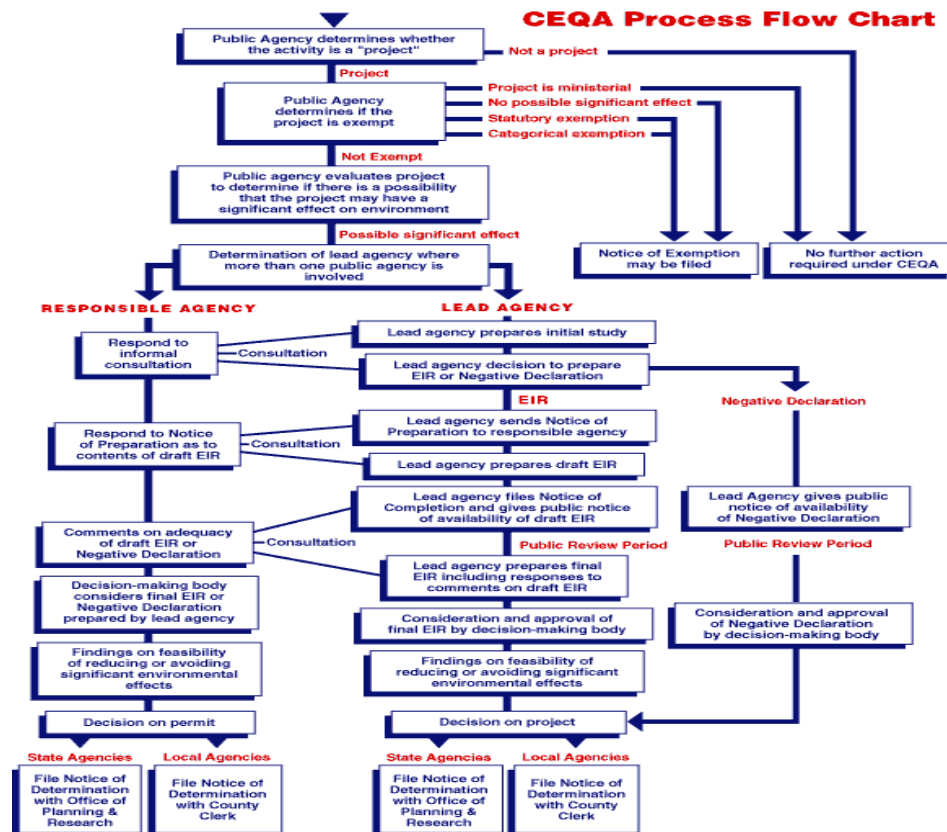
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- Who Does What
  - Lead Agency
  - Responsible Agencies
  - Trustee Agencies
  - Involved Federal Agencies

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## The CEQA Process



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## Public Comment Opportunities

- During NOP/Scoping (Best!)
- During Draft Neg Dec/EIR Comment Periods (OK)
- During Public Hearings (Probably too late!)

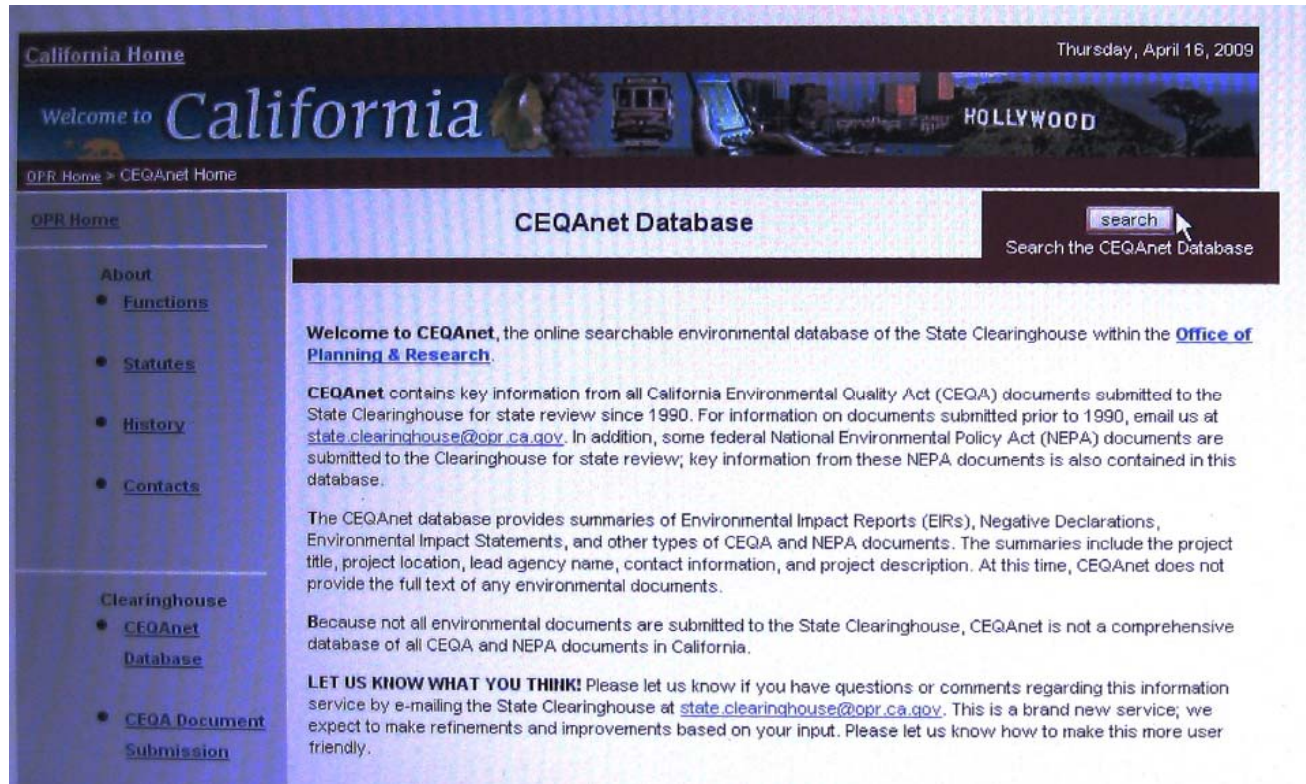
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- Tracking Projects – CEQANet  
<http://www.ceqanet.ca.gov>



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CEQAnet home page

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Query the CEQAnet Database

Clearinghouse Number:

**Select Options and Submit:**

**Date Range :** (time period in which the document was received by the State Clearinghouse)

☐ All

☒ Range   through

**Project Location:** (type first letter of city or county to move through list more efficiently)

☐ All

☐ City:

☒ County:

**Keyword (search for word or phrase in project title):**

☐ No Keyword

☒ Keyword

(Keyword search may take several minutes; improve search speed by using date and/or location parameters.)

**Lead Agency:**

☐ All

☒ Agency

**Reviewing Agency:**

☒ All

☐ Agency

**Document Type:**


[Document Types](#)

CEQAnet Query page

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### Query the CEQAnet Database

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Clearinghouse Number:

**Select Options and Submit:**

**Date Range : (time period in which the document was received by the State Clearinghouse)**

☐ All  
☒ Range

**Project Location: (type)**

☐ All  
☐ City:  
☒ County:

**Keyword (search for)**

☒ No Keyword  
☐ Keyword

**Lead Agency:**

☐ All  
☒ Agency

**Reviewing Agency:**

☒ All

Solano Irrigation District  
Solano Transportation Authority  
Soledad, City of  
Soledad Agua Dulce Union School District  
Soledad Union Elementary School District  
Soledad-Mission Recreation District  
Solvang, City of  
Solvang Elementary School District  
Sonoma, City of  
**Sonoma County**  
Sonoma County Emergency Medical Services  
Sonoma County Junior College District  
Sonoma County Local Agency Formation Commission  
Sonoma County Sanitation District  
Sonoma County Transportation Authority  
Sonoma County Water Agency  
Sonoma Marin Area Rail Transit Commission  
Sonoma Valley Hospital District  
Sonoma Valley Unified School District  
Sonoma, City of  
Sonoma County

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CEQAnet Lead Agency list



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OPR Home > CEQAnet Home > CEQAnet Query > Search Results

Click Project Title link to display all related documents. Document Type link will display full document description.

Records Found: 2

[First] [Next] [Previous] [Last]

Page: 1

Query Parameters: Sonoma SONOMA MOUNTAIN All Date Range: 2008-01-01 to 2009-04-30

SCH#	Lead Agency	Project Title	Description	Document Type	Date Received
2007102071	Sonoma County	<a href="#">North Slope Sonoma Mountain Ridge Trail Project</a>	Construction of 4.5 miles of Bay Area Ridge Trail, plus one half mile spur trail to an overlook. Project includes a parking lot, several creek crownings, improvements to an access road and trailhead.	<a href="#">NOD</a>	4/28/2008
2007102071	Sonoma County	<a href="#">North Slope Sonoma Mountain Ridge Trail Project</a>	The North Slope Mountain Ridge Trail Project links 536 acres across the north slope of Sonoma Mountain, and consists of a 4.25 mile trail connecting on the east with the existing Hayfields Trail at Jack London State Historic Park and on the west with a new public parking/trail staging area at Jacobs Ranch. The proposed project includes 2 alternative routes through the central portion of the project site, as well as two trail spurs, and comprises a segment of the regional Bay Area Ridge Trail.	<a href="#">NOD</a>	3/21/2008

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### North Slope Sonoma Mountain Ridge Trail Project

City	Cross Street	Document Type	Description	Date Received
Santa Rosa	Sonoma Mountain Road, Bennett Valley Road	<a href="#">Notice of Determination</a>	Construction of 4.5 miles of Bay Area Ridge Trail, plus one half mile spur trail to an overlook. Project includes a parking lot, several creek crownings, improvements to an access road and trailhead.	4/28/2008
Santa Rosa	Sonoma Mountain Road, Bennett Valley Road	<a href="#">Notice of Determination</a>	The North Slope Mountain Ridge Trail Project links 536 acres across the north slope of Sonoma Mountain, and consists of a 4.25 mile trail connecting on the east with the existing Hayfields Trail at Jack London State Historic Park and on the west with a new public parking/trail staging area at Jacobs Ranch. The proposed project includes 2 alternative routes through the central portion of the project site, as well as two trail spurs, and comprises a segment of the regional Bay Area Ridge Trail.	3/21/2008
Santa Rosa	Sonoma Mountain Road, Bennett Valley Road	<a href="#">Mitigated Negative Declaration</a>	The North Slope Mountain Ridge Trail Project would consist of a 4.25-mi trail on the north slope of Sonoma Mountain, connecting on the east with the existing Hayfields Trail at Jack London State Historic Park and on the west with a new public parking/trail staging area at Jacobs Ranch, including improvements to the existing driveway that provides access to Sonoma Mountain Road. The proposed project would include 2 alternative routes through a segment of the central portion of the project site, as well as two trail spurs, and would comprise a segment of the regional Bay Area Ridge Trail.	10/12/2007

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CEQAnet project description

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## Resources

- The California Environmental Resources Evaluation System  
<http://www.ceres.ca.gov/ceqa/index.html>
- Consulting Engineers and Land Surveyors of California  
<http://www.celsoc.org>  
916-441-7991

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**Thank You For Attending!**  
**Questions?**

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